



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,515	01/27/2001	David H.J. Glassco	109886-130205	6674
25943	7590	07/12/2004		
SCHWABE, WILLIAMSON & WYATT, P.C. PACWEST CENTER, SUITES 1600-1900 1211 SW FIFTH AVENUE PORTLAND, OR 97204			EXAMINER COLBERT, ELLA	
			ART UNIT 3624	PAPER NUMBER

DATE MAILED: 07/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/771,515

Applicant(s)

GLASSCO ET AL.

Examiner

Ella Colbert

Art Unit

3624

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 15 June 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 2 months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☒ Applicant's reply has overcome the following rejection(s): See Continuation Sheet.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: 1-20.

Claim(s) withdrawn from consideration: _____

8. ☒ The drawing correction filed on 15 June 2004 is a) ☒ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
10. ☐ Other: _____



Continuation of 3. Applicant's reply has overcome the following rejection(s): The Ojection to the Drawings and Abstract have been overcome by Applicants' amendment to the drawings and abstract. The newly submitted Specification will need to be reviewed in detail by the Examiner. The amendments to claims 1, 6, 12, and 18 does not place the application in condition for allowance or simplify matters for appeal.

Response to Applicants' arguments:

Issue no. 1: Applicants' argue: Claims 1-20 were rejected under 35 U.S.C. 112, second paragraph as being indefinite and Applicants' assert that as in claim 14, an apparatus that would execute programming instructions is not merely a storage medium and that the indefiniteness rejection under 35 U.S.C. 112, second paragraph is unwarranted has been considered but is not persuasive. Response: Claims 1-20 were not rejected under 35 U.S.C. 112 second paragraph. Claims 14-20 were rejected under 35 U.S.C. 112 second paragraph and still remain rejected because Applicants' have failed to clarify in the claim language the issue addressed in the final rejection of 02/11/04. Issue no. 2: Applicants' argue: The cited and applied reference fails to teach, disclose or suggest the element of a publication as claimed in the present invention nor does the cited and applied reference teach, disclose or suggest tagging data for inclusion in a publication has been considered but is not persuasive. Response: Plantz teaches a "Group Publication System" which is interpreted to mean that Plantz teaches a "publication" and Plantz is interpreted to teach the "tagging" element in col. 9, lines 35-67 - "selecting permitting the author to work on the document" (tagging)). Issue no. 3: Applicants' argue: Plantz fails to teach a publication identifier as the in the present invention and futher fails to teach assigning a publication identifier to a component property of a shared data publishing component has been considered but is not persuasive. Response: The Examiner respectfully requests, the Applicants' to clarify in the claim language the difference in the Applicants' "publication identifier" and the "publication identifier" (URL) in Plantz. It is unclear to the Examiner as to how the Applicants' "publication identifier" is different. Issue no. 4: Applicants' argue: Plantz has no teaching of authors or editors belonging to an organization as recited in claim 3 has been considered but is not persuasive. Response: Claim 3 merely recites "organization" and this could mean in its broadest sense any organization. Claim 3 does not recite "authors and editors belonging to an organization. Claim limitations are not read from Applicants' Specification into the claim language. Issue no. 5: Applicants' argue: Plantz has no teaching of instantiating a requested component that involves additionally resolving a second user's subscription to a data publication has been considered but is not persuasive. Response: It is interpereted that Plantz teaches the limitations of claim 6 in col. 10, lines 1-29. It is vague to the Examiner what Applicants' mean by "when instantiating a requested component, and said determining includes resolving the second user's subscription of the data publication to the publishing component". When claim language has an "or" the claim is given the broadest reasonable interpretation in light of the Speciifcation.

Claims 1-20 still remain rejected for the reasons addressed above. Applicants" are respectfully requested to distinctly point out and to claim what they consider to be their invention in their claim language.



VINCENT MILLIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3800